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PATENT, TRADEMARK, COPYRIGHT AND UNFAIR COMPETITION LAW AND RELATED LITIGATION

EDMUND P. WOOD TRUMAN A. HEFRON EDWARD B. EVANS

August 22, 2005

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Examiner Lam P. Pham

Art Unit 2636

Mail Stop AMENDMENT Commissioner for Patents

P.O. Box 1450 Alexandria, VA 22213-1450

Fax: 571-273-8300

Enclosures:

Fax Cover Sheet containing Certificate of

Facsimile Transmission (1 page) Transmittal containing Certificate of Facsimile

Transmission (2 pages)

Amendment and Response (10 pages)

From: Douglas A. Scholer Reg. No. 52,197

Re:

U.S. Patent Application
Serial No. 10/729,762
Filed: December 5, 2003 Alexander H. Siemons et al.

Applicant: 2636 Art Unit:

Confirmation No.: 3209

Our Ref: EIE/072US

Pages: 13 (including cover sheet)

MESSAGE/COMMENTS OFFICIAL

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2700 CAREW TOWER 441 VINE STREET CINCINNATI, OHIO 45202-2917

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PATENT, TRADEMARK, COPYRIGHT AND UNFAIR COMPETITION LAW AND RELATED LITIGATION

EDMUND P. WOOD TRUMAN A. HERRON EDWARD B. EVANS

1923-1968 1935-1976 1936-1971

August 22, 2005

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OF COUNSEL JOHN O. POFFENBERGER DAVID J. JOSEPHIC THOMAS W. FLYNN J. DWIGHT POFFENBERGER, JR. BRADLEY D. BECK

FACSIMILE COVER SHEET

To:

Examiner Lam P. Pham

Art Unit 2636

Mail Stop AMENDMENT Commissioner for Patents

P.O. Box 1450

From: Douglas A. Scholer

Reg. No. 52,197

Re:

U.S. Patent Application

Serial No.

10/729,762

P.O. Box 1450

Filed:

December 5, 2003

Alexandria, VA 22213-1450

Applicant:

Alexander H. Siemons et al.

PAGE 9/13* RCVD AT 8/29/2005 4:09:12 PM [Eastern Daylight Time]* SVR:USPTO-EFXRF-6/26* DNIS:2738300* CSID:513 241 6234* DURATION (mm-ss):12-16





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513 241 6234 P. 21/13 005-25-2445 17:65 WOOD, HERRON & EVANS, L.L.P. MTI, OHIO 45242-2011 FACEBURE STROM AND August 22, 2005 PACSIMILE COVER SHEET Examiner I am F. Phone Art Unit 2036 MALI KIOP AMENDMENT Commissioner for Patents 10/729.762 December 5, 2003 Alexander H. Siomons et el. 2636 Alexandra, VA 22213-1450 Fax: . 571-273-8300 interes: Fax Cover Short contaming Certificate of Pages: 13 (including power short) Factinish Transmentant (1 page)
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Received Cover Page AUG-22-2005 17:15

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- (Original) The method of elaim 1, further communicating a remote control nignal
 configured to affect operation of a dental base unit from the remote display unit to the
 dental base unit.
- 8. (Currently Amended) The method of claim [1] 3, wherein receiving the signal at the remote display unit controller further comprises receiving the signal from a base unit configured to measure a parameter selected from the group consisting of at least one of: an instrument location, an instrument orientation, a power status, a direction of rotation, a motor speed, a torque level, a power level, a magnification setting, a received capacity, a flow rate, a pressure reading, a temperature reading, a time back[.] and a display setting and any combination thereof.
- (Original) The method of claim 1, further comprising altering the destail data communicated via the display in response to at least one of received user input and an occurrence of a preset condition.
- (Original) The method of claim 1, wherein communicating the dental data to the user further includes at least one of initiating the display and generating an audio cue in response to a preset candition.
- (Original) The method of claim 1, wherein communicating the dental data to the user further includes communicating dental data comprising a pharality of dental parameters.
- (Original) The method of claim 1, wherein communicating the dental data to the user further includes communicating dental data comprising a product derived from a plurality of dental parameters.

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	August 22, 2005	
	FACSIMILE COVER SHEET	
To: Examiner Lam P. Pharm	Prom: Douglas A	. Scholer
An Unit 26% Mail Stop AMENDMENT	Reg. No.	
Commissioner for Patents	Serial No.	t Application 10/729.762
P.O. Box 1450 Alexandria, VA 22213-145	Filed:	December 5, 2003
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Applicants consequently submit that claim 1 is non-obvious over the prior art of record. Reconsideration and allowance of independent claim 1, as well as of claims 2-13 that depend therefrom, are therefore respectfully requested. These dependent claims recits additional features that further distinguish from the prior art of record. Particularly regarding dependent claim 8, Applicants traverse that assertion that it would have been obvious in view of Dempacy to communicate dental parameters. Such parameters may augment and complement actions taken by a user participating in dental procedure, and are not suggested by a system that merely reports a medical status so that a doctor does not actively have to participate in a procedure.

Independent claims 14 and 24 are basically apparatus implementations of the method steps of claim 1, and are consequently submitted to be patentable for at least the reasons set out above with respect to claim 1. Applicants respectfully submit that claims 14 and 24 are non-obvious over the prior art of record. Reconsideration and allowance of independent claims 14 and 22, as well as of claims 15-23 that depend from claim 14, are therefore respectfully requested.

Of note, claims 8, 14, 15 and 22 have been amended to address the § 112 concerns of the Examiner and to further put the claims in condition for allowance.

In summary. Applicants respectfully submit that all pending claims are nonobvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the underrigned at (513) 241-2324. Moreover, if any other charges or credits are

> Page 9 of 10 Smith No. (20154.)vs American, and programs thand Adjust 22, 2003. Roby to Office Anaton of Page 28, 2013 NoRSE EXECUTE

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TELEPHONE: 513-241-2324 FACSIMILE: 513-241-6234 WEBSITE:: www.whepatent.com AUG 2 9 2005 P. ANDREW BLATT, Ph.D. DAVID E. JEFFERIES. WILLIAM R. ALLEN, Ph.D. JOHN PAUL DAVIS DOUGLAS A. SCHOLER BRETT A. SCHATZ DAVID W. DORTON SARAH OTTE GRABER STEVEN W. BENINTENDI, Ph.D. RANDALL S. JACKSON, JR.

PATENT, TRADEMARK, COPYRIGHT AND UNFAIR COMPETITION LAW AND RELATED LITIGATION

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OF COUNSEL JOHN D. POFFENBERGER DAVID J. JOSEPHIC THOMAS W. FLYNN J. DWIGHT POFFENBERGER, JR. BRADLEY D. BECK

August 29, 2005

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Art Unit 2636

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571-273-8300 Fax:

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Remarks section of Amendment and Response fax filed on August 22, 2005 (4 pages) Internal Fax Confirmation Sheets from

August 22, 2005 filing (2 pages)

Auto-Reply Facsimile Transmission Sheets Received regarding August 22, 2005 filing (4 pages)

From: Douglas A. Scholer

Reg. No. 52,197

Re: U.S. Patent Application

10/729,762 Serial No.

December 5, 2003 Filed:

Applicant: Art Unit:

Alexander H. Siemons et al. 2636

Confirmation No.: Our Ref:

3209 EIE/072US

Pages: 13 (including cover sheet)

SUBMITTED PER REQUEST OF MARQUETTA McGEE AT

TECHNOLOGY CENTER 2636

MESSAGE/COMMENTS **OFFICIAL**

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PATENT

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22313-1450 at 571-273-8300 on August 29, 2005. angust 29, 2005

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AUG 2 9 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alexander H. Siemons et al.

Art Unit: 2636

Serial No.: 10/729,762

Examiner: Lam P. Pham

Filed:

December 5, 2003

Atty. Docket No.: EIE/072US

For:

Remote Dental Display System

COMMUNICATION

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to a telephone conversation that took place on August 29, 2005 between my Legal Assistant, Judith L. Volk, and Marquetta McGee from Technology Center 2600 at the United States Patent and Trademark Office in regard to an incomplete fax of an Amendment and Response faxed by Applicants on August 22, 2005. It is my understanding that Ms. McGee indicated that only 11 of the 13 pages were received and requested that the Remarks section of the Amendment and Response be resubmitted, along with a communication explaining the events of the transmission as related by Ms. Volk to receive the August 22, 2005 filing date. It is also my understanding that Ms. Volk indicated to Ms. McGee that an internal confirmation sheet had been received by her indicating that 13 pages were received; however two Auto-Reply Facsimile Transmission sheets, one at 5:11 PM indicating the receipt of 6 pages and one at 5:18 PM indicating the receipt of 8 pages, were received from the

> Page 1 of 2 Scrial No. 10/729,762 **EIE Docket** WH&E EIE/072US

513 241 6234

United States Patent and Trademark Office. Applicants therefore resubmitted the entire 13 page document and received another internal confirmation sheet that indicated that the 13 pages were received by the Office; however, two more Auto-Reply Facsimile Transmission sheets were again received indicating the receipt of 11 pages at 5:21 PM and the receipt of 2 pages at 5:33 PM, were received from the United States Patent and Trademark Office. Copies of the two internal fax confirmation sheets and the four Auto-Reply Facsimile Transmission sheets are included for the Office's convenience. Applicants also note that the entire document is present on the Patent Office's PAIR system; however the claims from the original fax are separated into two parts with claims 1-7 in one document and claims 7-24 in another document. Claims 1-24 from the second fax are in a third document.

Applicants therefore respectfully submit that the Patent Office received the entire 13 page document on August 22, 2005, and request that the Patent Office honor the August 22, 2005 filing date.

If there are any questions regarding this paper, or which might otherwise further this case onto allowance, please contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

Reg. No. 52,197

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202

(513)241-2324

Page 2 of 2 Serial No. 10/729,762 **EIB** Docket WHAE EIE/072US Communication re 8-22-05 Amenda